

A

# REVIEW

## OF THE

# STATE

## OF THE

# BRITISH NATION.

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Tuesday, April 8. 1707.

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**I**N my last I took a little Freedom with a Sort of People, *I wish we had none of them in this Island, whom I call the Implacable.*

We have had a great Deal of Pother with this Sort of People of late; from the first Occasional Bill to the compleating of the Union, they have been busie, writing Books, preaching Sermons, holding up bloody Flags, bringing in Bills, tacking, consolidating, calling over the Heirs of the Crown, writing and printing Letters to great Folks and from great Folks; they have teaz'd us with florid Speeches, Ballads, in Prose, and jingling Orations, all over the whole Island; they have pursu'd us with perpetual and restless Contrivances; for the perfecting, if possible, the Confusions of this Island.

It would be endless to give a History of their perplexing Methods and wild Attempts

to embroil the Nations; in *Scotland* I have been an Eye-witness to their Diligence in the Devils Work, and have seen, with what Success they have deluded Abundance of zealous, well-minded People to scruple the Union, in Point of Conscience, and Talk of the Sinfulness of it.

Strange Delusion! That Peace and Love, uniting Nations, Sisters in Situation, in Politicks, in Interests, and *with but very small Differences*, Sisters in Religion, can be against Conscience! — Was ever such Blindness of Mind exercis'd among a knowing Generation?

But this is the Artifice of a Party, *the Craft of our Church Politicians*, and this has been the Method, by which they have hitherto carry'd on their projected Scheme of National Divisions: I shall not go back to consider, what contemptible Tools they took to work

work with, and in what a weak and absurd Manner they have proceeded, for I am not upon that here; I am endeavouring to distinguish between the *Deluded* and the *De-luders*, and noting how we should behave to them both.

To the *Deluded*, impos'd upon, honest People, I say as before, all Manner of Tender-ness and Kindness should be shown, no Re-sentments, no Reproaches of former Indiscretions, nothing ill-natur'd or unkind can be rational in a Union. 'Tis Peace and Union is the Subject to be pursu'd, and the Work is not over, tho' the Treaty be ended; now is the Time to show the Spirit of Union among us, and to show Her Majesty our Res-pect, both to the Letter and to the Meaning of Her Speech, by constant Acts of Kindness and Respect to one another, that if possible, all Jealousies and Distrusts between the Nations and between the several Opinions on either side being remov'd; we may together enjoy the real Advantages of the Union, and help to make them universal. To the *Deluders*, I have spoke already.

In order now to bring this Matter nearer to us, and put the due Weight upon every Article, that we may not only have the general Exhortation to, but the *how* and *which way* these things should be done; I shall enter here upon the Substance of the Exhortation.

And first, I shall be allow'd, I suppose, and I lay it down as a Maxim, that a Union being now compleated between the two Nations, and the mighty Struggle over—There are reciprocal Duties and Obligations between them, which there were not before.—This will need no enlarging upon; where there is a relative Capacity begun, there are relative Duties which grow, the Debt of either Nation to one another.

a. It cannot but be the Interest of either

Nation to agree in all the properest Methods of improving their new Circumstance to their mutual Advantage; and how that can be without a general Concert of Measures, and a Union of Affection, is a Mytery; he must have an unusual Power of Penetration, that can find it out.

3. Whoever they are, and on whatever Ground they act, that attempt to render the Nations jealous of, or suspected to one another, or that soment a Distrust between Parties in both; so far they declare themselves the Enemies of both Nations, and endeavour to rob them both, of the Advantages which would otherwise come to them by this Union.

Having thus settled the Preliminaries, and laid the Foundation of my Design, it will next follow, that I should enquire, what are the reciprocal Duties of either Nation one to another, as they are now circum-stanc'd under their new Capacity, I mean as United.

In going on with this Enquiry, perhaps I may touch some Sores to the Quick, that may make the Persons uneasy, who feel the Smart——But I am not at all concern'd at that, since 'tis a Smart only in order to a Cure, and they may in time live to thank the Surgeon, tho' they dislike the Operation.

The mutual Obligations between this great united People, at least such of them, as I shall touch upon in these Papers, respect,

1. Religion.
2. Civil Peace.
3. Commerce; and under that Head Improvement of Land.
4. Government and Constitution, and Employment of the Poor.

Of these I shall discourse in their Order, and under each Head shall speak of those Particulars, which I think have their immediate Dependence upon them.



## MISCELLANEA.

**I**N my last, having begun to speak of that Sort of our Poor, who are reduc'd to that Glass by Disaster, I brought the Discourse down to the Affair of the Bankrupts, a Case, too much, I think, contested by those, who clamour at it chiefly, because the Laws now in Force seem to limit and restrain the accustomed Cruelties of Creditors in Cases of insolvent Debtors.

In discoursing of this, I crave leave, as in all such Cases I desire to do, to go back a little to Originals, and enquire, from whence the absolute Power of the Creditor, and the usual Fraud of Debtors does proceed; and if I can do this with some Clearness, I hope, it may open the Eyes of some People, who seem to be blinded to the Prejudice of the general Good.

'Tis most true, that not many Ages back, there was no such thing in Use in these Parts of the World, as attacking or arresting the Body of a Debtor, upon what we call *mean Process*, or the first Demand of a Debt; and our Neighbour Nations preserve the same Liberty still; Nay, in some Places the Bankrupt becomes immediately a Person wholly manag'd by the Government; where proper Methods are taken, First, to lay hold of his Effects, and secure them for the Creditors, as in *Holland*; Secondly, to punish him as a Criminal, if he cannot give a fair Account, how he has become a Bankrupt; Thirdly, to protect his Person from the Cruelty and Passions of unreasonable Creditors, as in *Denmark, Holland*, and almost every where else.

In *Scotland* to this Day you can arrest no Man, till the Cause is try'd, and Judgment obtain'd, and then he must be subjected; but you may arrest his Effects, and stop his Debts or Estate, a much more equal and effectual Way to recover the Demand, and yet leaves no room for personal Revenge, a thing the very Nature of Law abhors; and to restrain which, publick Acts are always made in most Countries in the World.

But as *England* began to increase in Trade,

and Inland Credit seem'd to extend it self here to a Degree beyond all Parts of the World; so the immediate Method for Recovery of Debts was thought proper for the Support of that mighty thing, call'd *Credit*, which as it is more generally given here than in any Place in the World, and with less Securities; so it has been the thing, which has the most contributed to the Increase of our Trade at Home, above and beyond all other Hefps in the World.

For the Support of this, our Ancestors thought fit to subject common Liberty to common Obligation, and to make the Person of the Debtor liable, as the nearest Method in the World to make small Debts secure, and encourage Credit; and I will not attempt to say, that thus circumstanc'd, it may not be the true Method in so great a trading Nation, and in a Case where such unlimited, loose Sort of Contracts are made.

I am not therefore pointing my Discourse against the general Law of Captivity for common Debt; 'tis not the Law, but the Abuses and fatal Consequences of this Matter, occasion'd by the Fury and Cruelty of merciless Men, who want Bounds and Limits to their unreasonable Tempers, and who are in this Case trusted with too much Power over their Fellow-Creatures; and instead of applying that Power only to doing themselves Right, carry it on to the Destruction of the Party as an Act of Revenge.

These are the Abuses of the Laws and Powers now in Practice for the recovering of Debts in *England*, which I complain of—By which the End of the Law is inverted, which is directed for the preserving the honest Man's Property; and Laws of civil Right become in their Prosecution perfectly sanguinary and cruel, Death becomes the End of the Process, and the Debtor's Misfortune equals him in the Event to the Capital Crimes of Murder and Robbery.

To mitigate these Excesses, several Methods have been found out, and Custom for a while screen'd the miserable Wretches in pri-



priviledg'd Places, and such Places, where even their own Numbers and Desperation made them league together in their own Defence against the Law; such were the Sanctuaries of the *Mins, Fryers, Rules, &c.* and the Connivance of the Prison-keepers of the *QUEEN's Bench and Fleet.*

But the Abuses committed in these Places growing to a most intolerable Extremity, the Frands and Knavery of ill Men being barefacedly protected, the Creditor treated with unsufferable Insolences, and uncommon Violences daily practis'd; these Places became justly odious to the whole Nation, and I had the Honour to be one of the first Complainers, and not only so, but to have some Hand in the Dissolution of their monstrous Privileges; and that even while it was expected, I should have rather accepted of Shelter from their corrupted Constitution.

However, as the Grievance was too great not to be heard, the Complaint soon reach'd the Parliament, who made several Laws to destroy and dispossest those lurking Holes, and at last they were very much reduc'd, the *Fryers* abandon'd, the *Rules* of Prisons restrain'd, and the *Mins* brought to more regular Restraint.

But as this effectually took away the Screen from the honest Debtor, as well as from the Projecting Villain, so the Parliament also made sundry Laws, to deliver such from the Tyranny of their Merciless Creditors, of which in the next Paper.

#### ERRATA.

**R**EVUEW, N<sup>o</sup>. 20. p. 77. Col. 2. l. 7. r. *pus in practice*; l. 14. r. *that Prince*. p. 78. Col. 1. l. 5. r. *we gave him; a Trifle*, *had there &c.* l. 33. r. *venture like him for a Country*; ib. Col. 2. l. 2. r. *his Enjoyments here*; they are, &c. l. 31. r. *bartered all to defend, flying in his Face, &c.* l. 50. r. *you help'd to make him King!* &c.

#### ADVERTISEMENTS.

Next Week will be publish'd, Religion and Physick, both Establish'd by Law, demand the first Cares of all Government, to preserve the Harmony and Union of the Soul and Body of the Subjects. With a Postscript, whether the famous Hospitals of London will with Honour choose an outlying Physician, not capable by the Law to

practice in London, without the Examination and Approbation of the College, who must pay 5 l. for every Month's Advice in them, as adjudged by my Lord Chief Justice Holt; the other Physician, if President, while he holds the Place, is perjured, if he consults with him, and must pay to the College 5 l. for every such Offence; by a Statute lately reviv'd, and the Penalty inflicted.

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